

**TOWN OF BAY HARBOR ISLANDS
SPECIAL MASTER HEARING
SPECIAL MASTER RICHARD KROOP**

REVISED AGENDA – ITEM 12 ADDED

June 1, 2022
10:00 AM

1. 9821 East Bay Harbor Drive

Type of Hearing: SPECIAL MASTER
HEARING

Presenter: Evelyn Merizalde

Owner: O Residence Condominium
Association, Inc.

Code Officer: Evelyn Merizalde

Registered Agent: Cuevas, Garcia & Torres,
P.A.

Citation #: 21-001375

Date Issued: 2/24/2022

Violation: Online complaint: Unsafe Structure / Structural Issues. Spalling concrete and corroded exposed rebar on the roof of the parking garage, on the first floor.

Code Section: Nothing shall be done or suffered to be done or permitted to exist on any improved or unimproved property which may be or become an annoyance, blight, eyesore, danger or nuisance to the neighborhood, the inhabitants of buildings or the safety and welfare of the general public. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<u>Department's Recommendation:</u>	<u>Case History:</u>
Impose a \$150.00 administrative fee and close the case.	New case with no prior history.

2. 1045 Kane Concourse # 1037

Type of Hearing: SPECIAL MASTER
HEARING

Presenter: Scherrie Griffin

Owner: Kane Concourse Enterprises, LLC

Code Officer: Scherrie Griffin

Registered Agent: Piotrkowski, Joel, Esq.

Citation #: 22-000513

Date Issued: 3/14/2022

Violation: 1037 Kane Concourse (Regent Jewelers) - Interior alterations in progress without permits.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation:

Impose a \$150.00 administrative fine and close the case.

Case History:

New case with no prior history.

3. 9800 West Bay Harbor Drive # 705

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: Martina Passa

Code Officer: Evelyn Merizalde

Registered Agent: N/A

Citation #: 21-002230

Date Issued: 11/9/2021

Violation: Notice of violation was issued to obtain the required permits for the kitchen and bathroom remodeling work in progress.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation:

Impose a \$150.00 administrative fee and close the case.

Case History:

New case with no prior history.

4. 10000 West Bay Harbor Drive # 204

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: Warren Cohen

Code Officer: Evelyn Merizalde

Registered Agent: N/A

Citation #: 21-002350

Date Issued: 11/19/2021

Violation: Construction work is in progress without permits.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

<u>Department's Recommendation:</u> Impose a \$150.00 administrative fee and close the case.	<u>Case History:</u> New case with no prior history.
--------------------------------------------------------------------------------------------------------	----------------------------------------------------------------

5. 9200 West Bay Harbor Drive

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Scherrie Griffin

Owner: 9200 West Bay Harbor Drive
Condominium Association, Inc.

Code Officer: Scherrie Griffin

Registered Agent: Norman Hurwitz

Citation #: 19-000378

Date Issued: 6/21/2021

Violation: The Town hired Chen, Moore & Associates to inspect all the seawalls and found the dock is in serious condition. The inspection took place in April 2018.

Code Section: Sec. 23-12(1) Nothing shall be done or suffered to be done or permitted to exist on any improved or unimproved property which may be or become an annoyance, blight, eyesore, danger or nuisance to the neighborhood, the inhabitants of buildings or the safety and welfare of the general public. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

<u>Department's Recommendation:</u> Impose a \$150.00 administrative fee and close the case.	<u>Case History:</u> New case with no prior history.
--------------------------------------------------------------------------------------------------------	----------------------------------------------------------------

--	--

6. 1120 99 Street # 502

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: Juliana Pinto Rezende

Code Officer: Evelyn Merizalde

Registered Agent: N/A

Citation #: 22-000323

Date Issued: 2/22/2022

Violation: Construction work is in progress without permits.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation: Grant an extension of time to comply with the violation.	Case History: New case with no prior history.
-------------------------------------------------------------------------------------------------	---------------------------------------------------------

7. 10350 West Bay Harbor Drive # 7H

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: Simon Shimunov

Code Officer: Evelyn Merizalde

Registered Agent: N/A

Citation #: 22-000164

Date Issued: 2/8/2022

Violation: Obtain an after the fact permit for the remodeling work in progress in the kitchen, bathroom and flooring.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation: Impose a fine from 2/8/22- 6/1/22, which represents 113 days at \$250.00 per day for a total of \$28,250.00. The fine shall continue to accrue at \$250.00 a day until compliance is met.	Case History: New case with no prior history.
----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------	---------------------------------------------------------

8. 1350 98 Street

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: Freddy Friedman TRS FEJCC Trust

Code Officer: Evelyn Merizalde

Registered Agent: N/A

Citation #: 22-000025

Date Issued: 1/5/2022

Violation: A new aluminum fence was installed on the property without a permit.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation:	Case History:
Impose a fine from 1/5/22- 6/1/22, which represents 147 days at \$250.00 per day for a total of \$36,750.00. The fine shall continue to accrue at \$250.00 a day until compliance is met.	New case with no prior history.

9. 9601 East Bay Harbor Drive

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: Bay Harbor Hotel, LLC - Grand Beach Hotel

Code Officer: Evelyn Merizalde

Registered Agent: M.J.F. Registered Agent, Corp.

Citation #: 22-000132

Date Issued: 1/24/2022

Violation: Demolition work was observed in the lobby without a permit.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation:	Case History:
Impose a fine.	New case with no prior history.

10. 1331 100 Street

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Scherrie Griffin

Owner: Wendy Fong

Code Officer: Scherrie Griffin

Registered Agent: N/A

Citation #: 19-000901

Date Issued: 6/13/2019

Violation: 19-000901

Code Section: Nothing shall be done or suffered to be done or permitted to exist on any improved or unimproved property which may be or become an annoyance, blight, eyesore, danger or nuisance to the neighborhood, the inhabitants of buildings or the safety and welfare of the general public. Without limiting the foregoing, the following shall constitute a nuisance: deteriorated landscaping, deteriorated fences, deteriorated roofs, deteriorated windows, deteriorated shutters, deteriorated screens, deteriorated exterior paint, deteriorated railings, deteriorated fascia boards, deteriorated exterior doors, deteriorated driveways, deteriorated parking areas, deteriorated garbage containers, deteriorated swimming pools and pool areas or any deteriorated part of structures to the extent it causes a blight on the neighborhood or endangers life or property. Deteriorated is defined as degeneration in the substance of the thing such as that arising from decay, corrosion, disintegration, lack of paint, broken parts, holes, or leaking in the case of roofs. No monkeys, apes, reptiles, horses, cattle, swine, goats, poultry, fowl or any other livestock shall be kept on any lot. Daily Penalty \$50.00

Department's Recommendation:

Impose a fine.

Case History:

New case with no prior history,

11. 9440 West Broadview Drive

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: 9940 West Broadview Drive, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Dereck A. Schwartz, P.A.

Citation #: 21-000800

Date Issued: 4/26/2021

Violation: Obtain an after-the-fact permit for the pile installation.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation:

Vacate the previous fine assessed at the hearing on 3/24/22 and hear the case.

Case History:

9/29/21 hearing- The owner has 30 days to hire a new contractor.

	3/24/22 hearing- Fine imposed from 9/21/21-3/24/22, which represents 175 days at \$250.00 per day for a total of \$44,000.00. The fine shall continue to accrue until compliance is met.
--	------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------

12. 1125 97 Street

Type of Hearing: SPECIAL MASTER HEARING

Presenter: Evelyn Merizalde

Owner: 1125 97 Bay Harbor, LLC

Code Officer: Evelyn Merizalde

Registered Agent: Eleanora Depalma

Citation #: 21-002397

Date Issued: 11/29/2021

Violation: Obtain an after the fact permit to install a new outdoor stair railing.

Code Section: 5-6(a) Permits shall be required and must be obtained for all structures erected, constructed, moved, reconstructed or structurally altered or other work done on such structures. Daily Penalty \$250.00

Department's Recommendation:	Case History: New case with no prior history.
-------------------------------------	---------------------------------------------------------

Pursuant to Florida Statutes 286.0105, the Town hereby advises the public that should any person decide to appeal any decision of the Special Master with respect to any matter to be considered at this meeting or hearing, he or she will need a record of the proceedings and that, for such purpose he or she may need to ensure that a verbatim records of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.